

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

NATURAL RESOURCES DEFENSE
COUNSEL, INC., et al.,

Plaintiffs, No. CIV S-88-1658 LKK GGH
vs.

KIRK RODGERS, et al.,

Defendants. ORDER

Presently pending on this court's law and motion calendar for December 1, 2005, is plaintiffs' motion to compel production or to exclude expert witnesses as a sanction, filed November 8, 2005. It is debatable whether this motion may be construed as an exception to the required joint statement under E.D. Local Rule 37-251(e); however, this court will construe it as such. Therefore, a joint statement will not be required. Instead, the following briefing schedule will apply.

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1 Accordingly, IT IS ORDERED that:

2 1. Friant shall file an opposition to the motion by November 17, 2005.
3 2. Plaintiffs may file a reply by November 23, 2005.

4 DATED: 11/9/05

5 /s/ Gregory G. Hollows

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GREGORY G. HOLLOWSS
7 UNITED STATES MAGISTRATE JUDGE
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